

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Shakina Griffith	Team: Team # 1	CCRB Case #: 201400537	<input checked="" type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Thursday, 06/13/2013 4:51 PM	Location of Incident: 774 Manhattan Avenue	Precinct: 94	18 Mo. SOL 12/13/2014	EO SOL 12/13/2014	
Date/Time CV Reported Fri, 01/17/2014 10:43 AM	CV Reported At: CCRB	How CV Reported: On-line website	Date/Time Received at CCRB Fri, 01/17/2014 10:43 AM		

Complainant/Victim	Type	Home Address
[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]

Witness(es)	Home Address
[REDACTED]	[REDACTED]

Subject Officer(s)	Shield	TaxID	Command
1. SGT Novaidul Neon	04592	932193	094 PCT
2. POF Danielle Alamrani	28842	942793	094 PCT

Officer(s)	Allegation	Investigator Recommendation
A.SGT Novaidul Neon	Force: SGT Novaidul Neon pointed his gun at § 87(2)(b)	[REDACTED]
§ 87(4-b), § 87(2)(g)	[REDACTED]	[REDACTED]

Case Summary

On January 17, 2014, § 87(2)(b) filed this complaint on behalf of his seventy-three year old father, § 87(2)(b) via the on-line website with the Civilian Complaint Review Board (CCRB) (encl. 5a-e).

On June 13, 2013, at approximately 4:51 p.m., after § 87(2)(b) and § 87(2)(b) engaged in a physical altercation at 774 Manhattan Avenue in Brooklyn, § 87(2)(b) and § 87(2)(b) were approached by SGT Novaidul Neon of the 94th Precinct. The following allegations resulted:

Allegation A- Abuse of Authority: SGT Novaidul Neon pointed his gun at § 87(2)(b)

§ 87(2)(g)
§ 87(2)(g), § 87(4-b)

Mediation was not offered as this case was not eligible.

Results of Investigation

Civilian Statements

Complainant/Witness: § 87(2)(b)

- § 87(2)(b) *is a* § 87(2)(b)
- *At the time of the interview,* § 87(2)(b)

CCRB Statement

In addition to his original complaint, § 87(2)(b) was interviewed at the CCRB on February 7, 2014 (encl. 7a-f) and answered follow-up questions on February 13, 2014 (encl. 7g) and June 24, 2014 (encl. 7h). His original complaint and statement were generally consistent, with any exceptions noted.

On June 13, 2013, at approximately 4:51 p.m., § 87(2)(b) and his father, § 87(2)(b) left Chase bank, located at 798 Manhattan Avenue in Brooklyn, and walked toward their car that was parked on Manhattan Avenue and Meserole Avenue. On the way to their car, § 87(2)(b) and § 87(2)(b) walked by a deli, located at 774 Manhattan Avenue and § 87(2)(b) who was identified via investigation, threw a cell phone at § 87(2)(b) and it hit him in the leg. § 87(2)(b) may have thrown the phone accidentally. Prior to this incident, § 87(2)(b) and § 87(2)(b) did not know § 87(2)(b) told § 87(2)(b) that he was struck by the phone and asked him to apologize. § 87(2)(b) got into § 87(2)(b)'s face and they engaged in a verbal dispute, which included both parties saying,

“Fuck you.” § 87(2)(b) asked if § 87(2)(b) could apologize. § 87(2)(b) and § 87(2)(b) grabbed each other by the shoulder and tried to push each other to the ground. § 87(2)(b) grabbed § 87(2)(b) underneath his arms and threw him backward. § 87(2)(b) fell and hit the back of his head on a stoop of an apartment building.

§ 87(2)(b) and § 87(2)(b) helped § 87(2)(b) off the ground and § 87(2)(b) apologized. § 87(2)(b) and § 87(2)(b) hugged and shook hands. § 87(2)(b) and § 87(2)(b) also apologized to § 87(2)(b) and § 87(2)(b) also shook hands. § 87(2)(b) said that he was having a bad day and said that his mother passed away. § 87(2)(b) speech was slurred, which indicated that he may have been drinking. As § 87(2)(b) and § 87(2)(b) helped § 87(2)(b) off the ground, a marked car stopped at a stop light on Manhattan Avenue and Meserole Avenue. An individual, who was described as a Hispanic male in his late teens to early 20s, and who saw the dispute between § 87(2)(b) and § 87(2)(b) ran after the marked vehicle to make the officers stop. § 87(2)(b) told § 87(2)(b) and § 87(2)(b) to “get out of here” and that he was not pressing charges. § 87(2)(b) and § 87(2)(b) also said that they were not pressing charges. There was an individual, who was described as a white male in his 70s, who also witnessed the incident.

§ 87(2)(b) and § 87(2)(b) walked back to their vehicle; § 87(2)(b) entered the passenger’s side and § 87(2)(b) entered the driver’s side. A second marked vehicle drove by and § 87(2)(b) suggested to his father that he and § 87(2)(b) return to the deli to explain what happened since the officers were going to stop them for that reason. § 87(2)(b) did not know if the second marked vehicle was going to stop at the deli, but he thought that it would. § 87(2)(b) and § 87(2)(b) exited the vehicle to walk back to the location. § 87(2)(b) waved to § 87(2)(b) and § 87(2)(b) to “get out of here.” § 87(2)(b) and § 87(2)(b) re-entered their vehicle, maintaining their original seated positions, and § 87(2)(b) closed the door. SGT Novaidul Neon and PO Danielle Alamrani of the 94th Precinct, who were identified via investigation, came from Manhattan Avenue and Meserole Avenue and approached the vehicle. SGT Neon was described as a stocky Hispanic or Middle Eastern male, 5’9” to 5’10”, short black hair, brown eyes, and in uniform. PO Alamrani was described as a white or Hispanic female, 5’5”, average build, wearing a Muslim headdress, uniform, and a blue windbreaker jacket. § 87(2)(b) did not know if SGT Neon exited the second marked vehicle. SGT Neon stood on the driver’s side, pointed his gun at § 87(2)(b) instructed him to exit the car, and to get against the wall. § 87(2)(b) exited the vehicle and stood against the wall. At some point, SGT Neon holstered his gun.

§ 87(2)(b) and § 87(2)(b) asked what was going on. SGT Neon said to § 87(2)(b) and § 87(2)(b) “You hit him.” § 87(2)(b) and § 87(2)(b) denied hitting § 87(2)(b) said that § 87(2)(b) did not want to press charges. § 87(2)(b) approached and said that he was not pressing charges. PO Alamrani said that she saw the assault and that she was pressing charges. Two additional officers arrived. PO1 who was described as a stocky white or Hispanic male, 5’8”, black hair, brown eyes, and in uniform. PO Steven Pedullo of the 94th Precinct, who was identified via investigation, was described as a white male, bald, with an Italian last name, 6’1”, and in uniform.

§ 87(2)(b) was handcuffed by PO1 and he did not resist. § 87(2)(b) was also handcuffed; however, § 87(2)(b) did not see who handcuffed him. § 87(2)(b) and § 87(2)(b) were walked to the 94th Precinct stationhouse by PO1 and PO Pedullo. En route to the stationhouse, PO Pedullo said, “This is bullshit,” which referred to § 87(2)(b)

and § 87(2)(b) walking to the stationhouse, as opposed to being driven and referred to § 87(2)(b) looking “okay” after the incident.

The arrests of § 87(2)(b) and § 87(2)(b) were processed and they were placed in the same holding cell. § 87(2)(b) and § 87(2)(b) remained in the holding cell for approximately two hours before being released with a desk appearance ticket. § 87(2)(b) and § 87(2)(b) were charged with assault.

Victim: § 87(2)(b)

- § 87(2)(b) is a § 87(2)(b).
- At the time of the interview, § 87(2)(b)

CCRB Statement

§ 87(2)(b) was interviewed at the CCRB on February 7, 2014 (encl. 8a-e) and he answered a follow-up question on June 26, 2014 (encl. 8f). His statement was generally consistent with § 87(2)(b)'s statement, with any exceptions noted.

After the altercation and § 87(2)(b) agreed not to press charges, § 87(2)(b) and § 87(2)(b) walked to their car. As § 87(2)(b) and § 87(2)(b) walked back toward the bodega to discuss the incident, the marked vehicle drove away and § 87(2)(b) told them to “go ahead” because he was not pressing charges and waved them away. After § 87(2)(b) and § 87(2)(b) returned to their car and re-entered it, they debated about returning to the bodega to straighten out the situation.

SGT Novaidul Neon of the 94th Precinct, who was identified via investigation, and who was described as an athletic white or Hispanic male, 5’8” to 5’9”, brown hair in a crew cut, and in uniform with stripes on his shoulder, stood twelve to fifteen feet away from § 87(2)(b) on the driver’s side of the vehicle, pointed his gun at § 87(2)(b) and instructed him to get out of the car. § 87(2)(b) put his hands on the dashboard, but he did not see what § 87(2)(b) did. SGT Neon instructed § 87(2)(b) to exit the car and he complied. SGT Neon yelled at § 87(2)(b) to get against the wall. § 87(2)(b) and § 87(2)(b) were separated. § 87(2)(b) dealt with PO Danielle Alamrani of the 94th Precinct, who was identified via investigation, and who was described as a female wearing a head wrap. § 87(2)(b) faced the wall of a building and put his hands on the wall. § 87(2)(b) did not see if SGT Neon still had the gun in his hand. Eight or nine officers arrived on foot. § 87(2)(b) did not hear any officers request assistance. SGT Neon asked § 87(2)(b) if he was a “wise guy” and said that § 87(2)(b) was under arrest. § 87(2)(b) said that § 87(2)(b) was not pressing charges. After SGT Neon said that he was pressing charges, § 87(2)(b) also said that he wanted to press charges because § 87(2)(b) threw a phone at him. § 87(2)(b) was handcuffed by PO Steven Pedullo of the 94th Precinct, who was identified via investigation, and who was described as a heavy white male, 5’10” to 5’11”, and in uniform. § 87(2)(b) did not resist while he was being handcuffed and he did not see who handcuffed § 87(2)(b).

After § 87(2)(b) and § 87(2)(b) were walked to the 94th Precinct stationhouse, they were fingerprinted and released after approximately two hours. § 87(2)(b) did not remember what he was charged with, but stated that the charges were later dismissed.

Witness: § 87(2)(b)

- § 87(2)(b) is a § 87(2)(b).

Phone Statement

§ 87(2)(b) provided a notarized statement from § 87(2)(b) on February 7, 2014 (encl. 9a), § 87(2)(b) provided a phone statement on February 14, 2014 (encl. 9b), and he answered follow-up questions on February 20, 2014 (encl. 9c). His statements were generally consistent with each other and § 87(2)(b)'s statement, with any exceptions and additional information noted.

On June 13, 2013, at approximately 4:51 p.m., § 87(2)(b) was outside and his cell phone was not working properly. § 87(2)(b) drank four to five twelve ounce beers, but was not intoxicated. He threw the cell phone on the ground and it broke into several pieces. One of the pieces hit § 87(2)(b) who was walking by. § 87(2)(b) and § 87(2)(b) began to use profanity toward § 87(2)(b). § 87(2)(b) walked backwards because he thought he would be attacked and he tripped to the ground, hitting his head. § 87(2)(b) and § 87(2)(b) helped him off the ground. After § 87(2)(b) was helped from the ground, he did not see where § 87(2)(b) and § 87(2)(b) went. § 87(2)(b) did not see any officers, he did not see § 87(2)(b) and § 87(2)(b) interact with officers, and he did not see an officer point his gun at § 87(2)(b). An ambulance came for § 87(2)(b) however, he did not know who called for the ambulance. § 87(2)(b) believed that someone called to report a man on the ground. § 87(2)(b) walked to the 94th Precinct stationhouse, where an ambulance was waiting for him. § 87(2)(b) was given an ice pack for the bump he obtained on the back of his head as a result of the fall. While at the stationhouse, § 87(2)(b) said that he did not want to press charges.

NYPD Statements:

Subject Officer: SGT NOVAIDUL NEON

- *SGT Neon is a § 87(2)(b).*
- *On June 13, 2013, SGT Neon worked from 2:50 p.m. to 11:47 p.m. and was assigned as the patrol supervisor. SGT Neon worked with PO Fredy Sanchez. The officers were in uniform and were assigned to marked vehicle number 3479.*

Memo Book

At 4:47 p.m., SGT Neon noted that he picked up an assault in progress at 747 Manhattan Avenue. PO Alamrani stated that she witnessed the assault in progress around the corner. PO Alamrani rushed back to the stationhouse in front of 100 Meserole Avenue and SGT Neon was standing in front of the stationhouse. SGT Neon took vehicle 3479 and drove around the corner. A Hispanic male, who was approximately forty-five years old, approached SGT Neon and told him that the perpetrators were in the van and were about to leave. SGT Neon approached the van when the perpetrators had their hands up and exited the van. The complainant/victim approached SGT Neon and stated that the perpetrators assaulted him. PO Alamrani also positively identified the perpetrators. The complainant/victim sustained an injury to the back of his head, which SGT Neon personally checked. The complainant/victim complained of back and neck pain from being pushed to the ground. Two individuals were under arrest by PO Pedullo (encl. 10a-c).

CCRB Statement

SGT Neon was interviewed at the CCRB on March 3, 2014 (encl. 11a-b).

On June 13, 2013, SGT Neon stood outside in front of the 94th Precinct stationhouse when PO Alamrani approached and said that there was a fight around the corner. PO Alamrani said that she could not take any police action because she was not wearing a bulletproof vest. SGT Neon entered a marked vehicle to 774 Manhattan Avenue. After SGT Neon parked his vehicle on Manhattan Avenue and exited, an individual who was described as a Hispanic male, approximately forty-five years old, approached SGT Neon, pointed at a van or SUV, and said that the perpetrators were in that vehicle and about to leave. SGT Neon crossed the street, may have drawn his gun, and approached the vehicle from the front. SGT Neon did not remember if he pointed his gun. SGT Neon saw movement in the vehicle and did not know who was inside of the van. SGT Neon felt that his safety was threatened because of the constant movement. He did not know what § 87(2)(b) and § 87(2)(b) were doing, but stated that they might have been buckling their seat belts. SGT Neon may have instructed § 87(2)(b) and § 87(2)(b) to exit the van. As § 87(2)(b) and § 87(2)(b) exited the van, § 87(2)(b) approached SGT Neon and said that § 87(2)(b) assaulted him.

After § 87(2)(b) and § 87(2)(b) stood on the sidewalk, SGT Neon called for assistance. Thirty seconds to one minute later, officers arrived in a vehicle. SGT Neon only remembered seeing PO Pedullo. The responding officers separated § 87(2)(b) and § 87(2)(b) while SGT Neon spoke to § 87(2)(b). SGT Neon asked § 87(2)(b) what happened and § 87(2)(b) said that § 87(2)(b) pushed him to the ground; SGT Neon saw a bump and some bleeding on the back of § 87(2)(b) head. SGT Neon did not remember seeing a laceration or bleeding to his face. § 87(2)(b) and § 87(2)(b) were handcuffed; however, SGT Neon did not remember who handcuffed them. § 87(2)(b) and § 87(2)(b) were transported to the 94th Precinct stationhouse; however, SGT Neon did not see when they were transported.

When SGT Neon returned to the stationhouse, he saw § 87(2)(b) sitting on a bench. An ambulance was called; however, SGT Neon did not remember if he personally called for the ambulance. When the ambulance arrived, § 87(2)(b) received medical treatment; however, SGT Neon did not know what the treatment was. SGT Neon also saw § 87(2)(b) and § 87(2)(b) who argued back and forth with the desk officer. SGT Neon did not remember the words that were used by § 87(2)(b) and § 87(2)(b).

§ 87(2)(b) and § 87(2)(b) § 87(2)(b)
§ 87(2)(b)

Subject Officer: PO DANIELLE ALAMRANI

- *PO Alamrani is a § 87(2)(b)*
- *On June 13, 2013, PO Alamrani worked from 7:05 a.m. to 3:40 p.m. and was assigned to Sectors A and D. PO Alamrani did not recall with whom she worked, but she was in uniform. PO Alamrani was assigned to a marked vehicle.*

Memo Book

At the time of the interview, PO Alamrani did not have her memo book and it was lost at a later date. A complaint report was not filed for PO Alamrani's lost memo book (encl. 29a).

CCRB Interview

PO Alamrani was interviewed at the CCRB on March 25, 2014 (encl. 12a-b). Her statement was generally consistent with SGT Neon's statement, with any exceptions and additional information noted.

On June 13, 2013, at approximately 4:51 p.m., PO Alamrani was in her vehicle at the corner of Manhattan Avenue and Meserole Avenue when an individual, described as a white male, approached PO Alamrani, stated that there was an assault in progress, and pointed toward 774 Manhattan Avenue. When PO Alamrani looked, she saw § 87(2)(b) and § 87(2)(b) kick and punch § 87(2)(b) who was on the ground. Since the 94th Precinct stationhouse is around the corner from where PO Alamrani was located, she flagged down SGT Neon, who was standing in front of the stationhouse. When SGT Neon approached, PO Alamrani explained her observation and he entered the vehicle. SGT Neon asked PO Alamrani if she had on her vest and PO Alamrani said no. SGT Neon instructed PO Alamrani to enter the stationhouse and PO Alamrani complied. Then SGT Neon went to the incident location. PO Alamrani did not exit the stationhouse and follow SGT Neon to the incident location and she did not see SGT Neon point his gun.

While she was in the complaint room, PO Alamrani saw § 87(2)(b) and § 87(2)(b) walk into the stationhouse and walk to the front desk. § 87(2)(b) was also brought back to the stationhouse. PO Alamrani spoke with § 87(2)(b) who stated that he was afraid of § 87(2)(b) and § 87(2)(b) and feared retaliation. PO Alamrani assured § 87(2)(b) that the arrests would be processed accordingly and that the officers would do their best to ensure his safety. PO Alamrani did not recall seeing any injuries on § 87(2)(b) and she did not remember if he complained of any injuries. PO Alamrani did not remember if an ambulance was called for § 87(2)(b).

NYPD Documents

SPRINT Print-Out

According to the SPRINT Print-Out, the sergeant requested an additional unit to the location. Then the sergeant requested an ambulance to the location. The sergeant stated that everything was under control and stated that he had the perpetrator and the victim at the location. An officer from Sector F had one individual under arrest. At 4:52 p.m., the officers were at the stationhouse. The sergeant stated that the assault in progress did not involve weapons. The victim had injuries to the back and the back of the head (encl. 13a-d).

UF-61 Complaint Report and OLBS Arrest Reports

According to the complaint report and the arrest reports, § 87(2)(b) stated to PO Pedullo that he was standing in front of 774 Manhattan Avenue when § 87(2)(b) and § 87(2)(b) had a verbal dispute with him. § 87(2)(b) and § 87(2)(b) started to punch § 87(2)(b) in the rear of his head, causing redness, swelling, and visible bumps. § 87(2)(b) refused medical attention at the 94th Precinct stationhouse (encl. 14a-b; 15a-c; 16a-c).

Command Log

According to the command log, § 87(2)(b) and § 87(2)(b) were brought to the stationhouse at 4:57 p.m. Their physical and mental condition were noted as apparently normal. The arrests were verified by SGT Neon (encl. 17a).

Desk Appearance Tickets

§ 87(2)(b) and § 87(2)(b) were issued desk appearance tickets by PO Pedullo. They were charged with assault with intent to cause physical injury (encl. 18a; 19a).

AIDED

According to the AIDED report, § 87(2)(b) stated that he was punched numerous times at the back of his neck by two perpetrators. § 87(2)(b) obtained bruises to his neck and complained of pain to his neck. § 87(2)(b) refused medical attention (encl. 20a-e).

Roll Call

According to the roll call, SGT Neon was assigned as a supervisor (encl. 21a-d).

§ 87(2)(a) 160.50

■ [REDACTED]
■ [REDACTED]

Status of Civil Proceedings

- § 87(2)(b) and § 87(2)(b) have not filed a Notice of Claim with the City of New York as of February 13, 2014 with regard to the incident (encl. 24a).

§ 87(2)(c), § 87(2)(b)

■ [REDACTED]
■ [REDACTED]
■ [REDACTED]
■ [REDACTED]

Civilians CCRB History

- This is the first CCRB complaint filed by § 87(2)(b) (encl. 3a).
- This is the first CCRB complaint to which § 87(2)(b) has been a party (encl. 4a).

Subject Officer CCRB History

- SGT Neon has been a member of the service for ten years and there are no substantiated CCRB allegations against him (encl. 2a).

Conclusion

Identification of Subject Officer

SGT Neon acknowledged interacting with § 87(2)(b) and § 87(2)(b)

Investigative Findings and Recommendations

Allegation Not Pled

§ 87(2)(b) stated that while en route to the stationhouse, PO Pedullo said, "This is bullshit." Because this statement was not directed at § 87(2)(b) the discourtesy allegation will not be pled.

Allegation A- Abuse of Authority: SGT Novaidul Neon pointed his gun at § 87(2)(b)

■ [REDACTED]

§ 87(2)(b) and § 87(2)(b) stated that SGT Neon pointed his gun at § 87(2)(b) did not see § 87(2)(b) and § 87(2)(b) interact with officers and he did not see an officer point his gun at § 87(2)(b)

SGT Neon did not remember if he pointed his gun. PO Alamrani was not present during that portion of the incident and therefore would not have seen if SGT Neon pointed his gun. § 87(2)(g)

§ 87(2)(g)

§ 87(2)(g), § 87(4-b)

§ 87(2)(g), § 87(4-b)

Team: One

Investigator: _____
Signature Print Date

Supervisor: _____
Title/Signature Print Date

Reviewer: _____
Title/Signature Print Date

Reviewer: _____
Title/Signature Print Date